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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,560	10/31/2003	Jeffrey M. Lewis	200209670-1	1113

22879 7590 10/03/2005

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EXAMINER

DUONG, HUNG V

ART UNIT PAPER NUMBER

2835

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

HA

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/698,560	LEWIS ET AL.	
	Examiner	Art Unit	
	Hung v. Duong	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-3,5-18,20,22-27 and 29-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3,5-10,29-46 and 49-55 is/are allowed.
- 6) ☒ Claim(s) 11-15,20,22-27,47 and 48 is/are rejected.
- 7) ☒ Claim(s) 16-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

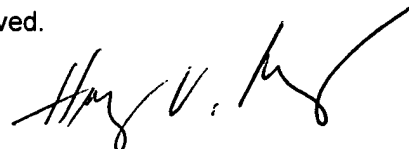
**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413) <b>HUNG VAN DUONG</b> |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____ <b>PRIMARY EXAMINER</b>                          |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)   |
| Paper No(s)/Mail Date <u>10/27/2005</u>   | 6) <input type="checkbox"/> Other: _____                                      |

## DETAILED ACTION

1. Prosecution on the merits of this application is reopened on claims 4-5, 19, 21 and 28 which have considered unpatentable for the reasons indicated below:

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11-15, 20, 22-27, 47-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Bolognia et al (US Pat. 6,819,555).

Regarding claims 11-15, 20, 22-27 Bolognia et al disclose a chassis 24; a computer drive 20; and a bendable arcuate mount 178 disposed within the chassis 24 adjacent the computer drive 20 wherein the bendable arcuate mount 178 comprises a plurality of heat transfer structures 134 wherein the chassis 24 comprises a computer server wherein the chassis 24 comprises a desktop computer wherein the computer drive 20 comprises a hard disk drive wherein the bendable arcuate mount 178 comprises a hand-engageable fastening mechanism.

Art Unit: 2835

Regarding claims 20, 47 Bologna et al disclose a mount for a computer drive, comprising: means 76, 78 for laterally retaining the computer drive 20 in a chassis 24; means 178 for bendingly compressing to retain the computer drive 20 vertically in the chassis 24; and means 134 for transferring heat from the computer drive 20; means 162 for pivoting the means 178 for bendingly compressing between open and closed positions relative to the means 76, 78 for laterally retaining.

Note that structure as mentioned can perform the method claims 22-27.

***Allowable Subject Matter***

3. Claims 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show that the top structure comprises a plurality of heat transfer structures or that the top structure comprises a pivot structure that is pivotally mountable to the base structure.

4. Claims 1-10, 29-46, 49-55 allowed.

The following is a statement of reasons for the indication of allowable subject matter: as mentioned above.

### Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McAlister (US Pat. 6,876,547) teaches hard drive carrier.

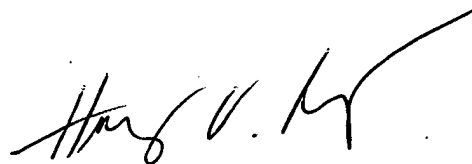
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung v Duong whose telephone number is 571-272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVD

9/15/05



Hung Duong  
Primary Examiner.